

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES MARTIN,

Petitioner,

No. CIV S-99-0223 WBS GGH P

vs.

S.L. HUBBARD, et al.,

Respondents.

FINDINGS AND RECOMMENDATIONS

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In response to the order, filed on April 27, 2010, directing the parties to inform the undersigned as to the status of respondent's application for a writ of certiorari, counsel for both parties confirm respondent filed a petition for a writ of cert. on February 17, 2010, with a response due from petitioner on May 19, 2010. Counsel mutually seek a temporary stay of proceedings in the district court while the petition for writ of certiorari is being briefed and considered.

Accordingly, IT IS RECOMMENDED that a temporary stay of proceedings in this court be granted pending the outcome of respondent's petition for writ of certiorari before the United States Supreme Court.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen

1 days after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge's Findings and Recommendations.” Any reply to the objections
4 shall be served and filed within seven days after service of the objections. The parties are
5 advised that failure to file objections within the specified time may waive the right to appeal the
6 District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 DATED: May 10, 2010

8 /s/ Gregory G. Hollows

9 UNITED STATES MAGISTRATE JUDGE

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